

1 Rule 55. Petition on appeal.

2 (a) Filing; dismissal for failure to timely file. The appellant shall file with the clerk of the
3 Court of Appeals an original and four copies of the petition on appeal. The petition on appeal
4 must be filed with the appellate clerk within 15 days from the filing of the notice of appeal or the
5 amended notice of appeal. If the petition on appeal is not timely filed, the appeal shall be
6 dismissed. It shall be accompanied by proof of service. The petition shall be deemed filed on the
7 date of the postmark if first-class mail is utilized. The appellant shall serve a copy on counsel of
8 record of each party, including the Guardian ad Litem, or, if the party is not represented by
9 counsel, then on the party at the party's last known address, in the manner prescribed in rule
10 21(c).

11 (b) Preparation by trial counsel. The petition on appeal shall be prepared by appellant's trial
12 counsel. Trial counsel may only be relieved of this obligation by the juvenile court upon a
13 showing of extraordinary circumstances. Claims of ineffective assistance of counsel do not
14 constitute extraordinary circumstances but should be raised by trial counsel in the petition on
15 appeal.

16 (c) Format. All petitions on appeal shall substantially comply with the Petition on Appeal
17 form that accompanies these rules. The petition shall not exceed 15 pages, excluding the
18 attachments required by rule 55(d)(6), and shall comply with rule 27(a), (b) and (d), except that it
19 may be printed or duplicated on one side of the sheet. In addition, the cover shall prominently
20 include the fact that the appeal is from a juvenile court child welfare proceeding, as defined in
21 rule 1(f).

22 (d) Contents. The petition on appeal shall include all of the following elements:

23 (d)(1) A statement of the nature of the case and the relief sought.

24 (d)(2) The entry date of the judgment or order on appeal.

25 (d)(3) The date and disposition of any post-judgment motions.

26 (d)(4) A concise statement of the material adjudicated facts as they relate to the issues
27 presented in the petition on appeal.

28 (d)(5) A statement of the legal issues presented for appeal, how they were preserved for
29 appeal, and the applicable standard of review. The issue statements should be concise in nature,
30 setting forth specific legal questions. General, conclusory statements such as "the juvenile
31 court's ruling is not supported by law or the facts" are not acceptable.

32 (d)(6) The petition should include supporting statutes, case law, and other legal authority for
33 each issue raised, including authority contrary to appellant's case, if known.

34 (d)(7) The petition on appeal shall have attached to it:

35 (d)(7)(A) a copy of the order, judgment, or decree on appeal;

36 (d)(7)(B) a copy of any rulings on post-judgment motions.

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